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SERVICE DATE – APRIL 24, 2019

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 55 (Sub-No. 786X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—IN ALACHUA COUNTY, FLA.

Decided: April 23, 2019

CSX Transportation, Inc. (CSXT), filed a verified notice of exemption under 49 C.F.R. § 1152 subpart F—Exempt Abandonments and Discontinuances of Service for CSXT to abandon an approximately 0.23-mile rail line on its Deerhaven Subdivision, Jacksonville Division, between milepost ARB 738.42 and milepost ARB 738.65, the end of the line, in Alachua County, Fla. (the Line). Notice of the exemption was served on December 21, 2018, and published in the Federal Register on December 26, 2018. (83 Fed. Reg. 66,334). The exemption became effective on January 25, 2019.

By decision served on February 26, 2019, the Board imposed a historic preservation condition under Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, which requires CSXT to (a) retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures, and objects within the project right-of-way (the Area of Potential Effect) that are eligible for listing or listed in the National Register of Historic Places (National Register) until the Section 106 process of the NHPA has been completed; (b) report back to the Board’s Office of Environmental Analysis (OEA) regarding any consultations with the Florida State Historic Preservation Office (SHPO) and the public; and (c) not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.

In a Supplemental Final Environmental Assessment dated April 2, 2019, OEA states that, on March 25, 2019, it received a letter from the SHPO in which the SHPO states that the proposed abandonment would “have no effect on historic properties listed, or eligible for listing, in the [National Register].”

OEA has determined, pursuant to the Section 106 regulations of the NHPA, and following consultation with the SHPO and the public, that the proposed abandonment would not affect historic properties listed in or eligible for listing in the National Register. OEA states that the Section 106 process is complete and recommends that the Board remove the Section 106 condition that was imposed in its February 26, 2019 decision.

Accordingly, based on OEA's recommendation, this proceeding will be reopened and the previously imposed Section 106 historic preservation condition will be removed.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the Section 106 historic preservation condition imposed in the February 26, 2019 decision is removed.
3. This decision is effective on its date of service.

By the Board, Allison C. Davis, Acting Director, Office of Proceedings.